

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

IN RE:

DWYANE BRADFORD BOREN  
MARY ELIZABETH BOREN

CASE NO: 13-10044-RLJ-13

HEARING DATE: 5/1/2014

HEARING TIME: 11:00am

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**TRUSTEE'S MOTION TO DISMISS**

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NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Trustee's Motion to Dismiss in accordance with 11 U.S.C. 1307(c), Rule 9014, Rule 1017(f)(1), and General Order 2010-01 and would respectively show unto to the Court as follows:

Debtor is in material default of the most recent confirmed plan or modified plan per 11 U.S.C. 1307(c). The most recent confirmed plan or modified plan required the Debtor(s) to pay \$501.00 per month beginning 3/30/2013. The total amount paid to the Trustee is \$5,337.00 and the total amount in arrears is \$1,002.00 through March 2014.

Certified funds must be delivered to the following address to cure this default:

**Standing Chapter 13 Trustee  
PO Box 94210  
Lubbock, TX 79493**

WHEREFORE, the Trustee prays that this Chapter 13 case be dismissed per 11 U.S.C. 1307(c).

Respectfully submitted,

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

A HEARING WILL BE HELD 5/1/2014 AT 11:00am AT THE FOLLOWING ADDRESS:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT:

US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

DWYANE BRADFORD BOREN & MARY ELIZABETH BOREN PO BOX 2278 ALBANY TX 76430

MCCREARY VESELKA BRAGG & ALLEN PO BOX 1269 ROUND ROCK TX 78680

BOERNER DENNIS & FRANKLIN PLLC PO BOX 1738 LUBBOCK TX 79408

Date: 4/1/2014

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee